

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
SOUTHERN DIVISION

ANGELA BURTON,

Plaintiff

vs.

NATIONWIDE INSURANCE  
COMPANY,

Defendant.

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)  
)  
)  
)  
)

Collier/Carter

1:07-CV-129

File No. 25265

RHEA COUNTY CIRCUIT

2007 JUN -6 A 9:29

FILED

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NOTICE OF REMOVAL OF CIVIL ACTION

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To the Honorable Judge of the United States District Court Eastern District of Tennessee. Nationwide Mutual Fire Insurance Company respectfully states as follows:

1. The above styled action was filed on February 15, 2007 in the Circuit Court of Rhea County naming Nationwide Insurance Company as a defendant. Nationwide Insurance Company is not a legal entity. Eventually Nationwide Mutual Fire Insurance Company's registered agent was served through the Commissioner of Insurance on May 8, 2007 as a sole defendant. Nationwide Mutual Fire Insurance Company did in fact insure the premises of the plaintiff which were destroyed by fire on September 13, 2005.

2. No further proceedings have been had in the Circuit Court for Rhea County, Tennessee.

3. The above-entitled cause of action is a civil action relating to a homeowner's insurance policy.

4. The Plaintiff is an individual with her principal residence in Spring City, Rhea County, Tennessee

5. The Defendant is an Ohio corporation, with its home office in Columbus, Ohio.

6. The amount in controversy is in excess of \$75,000, exclusive of interest and costs.

7. Diversity of citizenship exists; the requisite amount in controversy exists. This Court therefore has original jurisdiction in the above-entitled action pursuant to 28 U.S.C. 1332.

8. A copy of the summons and the Complaint served upon the Defendant in the above-entitled action are collectively attached hereto as Exhibit "A", along with all the process, pleadings and orders served on the Defendant in the above State Court action. A copy of the insurance policy sued upon and a letter explaining the amount of coverage is attached hereto as Exhibit "B"

9. Pursuant to 28 U.S.C. 1446 (b), this Petition is filed with the Court within 30 days after service on the Defendant of the Summons and Complaint in the above-entitled action.

WHEREFORE, Notice is hereby given that the above-entitled action is removed from the Circuit Court of Rhea County, Tennessee, to the United States District Court Southern District of Tennessee.

Date this 5th day of June, 2007.

James D. Madewell  
James D. Madewell (#3337)

**Madewell, Jared, Halfacre & Williams**  
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Attorney for Defendant

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that a copy of the foregoing has been furnished to Keith H. Grant, P.O. Box 908, Dunlap, TN 37327, by placing same in the United States Mail, postage prepaid, this the 5th day of June, 2007.

James D. Madewell  
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